Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2327	((375/376) or (331/1)).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2005/09/15 11:37
L2	2327	(375/376).CCLS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2005/09/15 11:37

Compositions Comprising the Same (As Amended)

# **APPEAL BRIEF**

10/20/2003 HDEMESS1 00000081 500892 10044807 01 FC:2402 165.00 DA

> Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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### APPEAL BRIEF

Sir:

Appeals and Interferences ("the Board") in response to the Final Office Action mailed on February 5, 2003. The Notice of Appeal was timely submitted on July 7, 2003, and was received in the Patent and Trademark Office ("the Office") on July 14, 2003. This Appeal Brief is timely submitted in light of the concurrently filed Petition for an Extension of Time of one month to and including October 14, 2003, and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(1) from Appellants' Representatives' deposit account. The Commissioner is also authorized to charge the fee for filing this Appeal Brief (\$160.00), as required under 37 C.F.R. § 1.17(c), to Lexicon Genetics Incorporated Deposit Account No. 50-0892.

Appellants believe no fees in addition to the fee for filing the Appeal Brief and the fee for the extension of time are due in connection with this Appeal Brief. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to charge any underpayment or credit any overpayment to Lexicon Genetics Incorporated Deposit Account No. 50-0892.

#### I. REAL PARTY IN INTEREST

The real party in interest is the Assignee, Lexicon Genetics Incorporated, 8800 Technology Forest Place, The Woodlands, Texas, 77381.

### II. RELATED APPEALS AND INTERFERENCES

Appellants know of no related appeals or interferences that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.